

APPENDIX C

Guidelines for the Operation of Family Law Information Centers and Family Law Facilitator Offices

California Rules of Court

Appendix

Division V

Guidelines for Operation of Family Law Information Centers and Family Law Facilitators Offices

- (1) (*Independence and integrity*) An attorney and other staff working in a family law information center or family law facilitator office should, at all times, uphold the independence and integrity of the center or office in conjunction with its role within the court and the legal system.
- (2) (*Role as representative of the court*) An attorney and other staff working in a family law information center or family law facilitator office should recognize that they are representatives of the court and, as such, should avoid all acts of impropriety and the appearance of impropriety at all times.
- (3) (*Impartiality and diligence*) An attorney working in a family law information center or family law facilitator office should perform his or her duties impartially and diligently. Impartiality means delivering services to all eligible litigants in a neutral manner. Diligence requires that the attorney provide the litigants with pertinent information to allow them to bring their matter before the court. This may include appropriate referrals to other resources as well as direct information and assistance at the center or office. The attorney should require similar conduct of all personnel.
- (4) (*Respect and patience*) An attorney working in a family law information center or family law facilitator office should be aware of the social and economic differences that exist among litigants and maintain patience with and respect for the litigants who seek the services of the center or office. The attorney should require similar conduct of all personnel. However, if a litigant becomes unruly or disruptive, the attorney may ask the litigant to leave the center or office.
- (5) (*Bias and prejudice*) An attorney working in a family law information center or family law facilitator office should assist the litigants who seek assistance without exhibiting bias or prejudice based on race, sex, religion, national origin, disability, age, sexual orientation, socioeconomic status, or other similar factors, and should require similar conduct of all personnel.
- (6) (*Competent legal information*) An attorney working in a family law information center or family law facilitator office and his or her staff should provide the litigants who seek assistance with procedural and legal information and education so that the litigants will have increased access to the court. Family law information centers and family law facilitator offices are not intended to replace private counsel.

(7) *(Full notification of limits of service)* An attorney working in a family law information center or family law facilitator office should ensure that conspicuous notice is given, as set forth in [Family Code section 15010\(g\)](#) or [Family Code section 10013](#), respectively, that no attorney-client relationship exists between the center or office, or its staff, and the family law litigant. The notice should include the advice that the absence of an attorney-client relationship means that communications between the party and the family law information center or family law facilitator office are not privileged and that the services may be provided to the other party. Additionally, the family law information center must use Judicial Council form 1294.5, *Family Law Information Center Disclosure*, or provide similar notice of the warnings set forth in [Family Code section 15010\(i\)](#). The family law facilitator office must use Judicial Council form 1294, *Office of the Family Law Facilitator Disclosure*, or provide similar notice of the warnings set forth in [Family Code section 10015](#).

(8) *(Public comment)* An attorney working in a family law information center or family law facilitator office and his or her staff must at all times comply with [Family Code section 15010\(h\)](#) or [Family Code section 10014](#), respectively, and must not make any public comment about the litigants or about any pending or impending matter in the court.

(9) *(Gifts or payments)* An attorney working in a family law information center or family law facilitator office and his or her staff should not accept any gifts, favors, bequests, or loans from the litigants whom they assist, since this may give the appearance of impropriety or partiality--except for nominal gifts such as baked goods, as allowed by local rules.

(10) *(Communications with bench officers)* An attorney working in a family law information center or family law facilitator office and his or her staff should avoid all ex parte communications with a bench officer, except as provided in accordance with [Family Code section 10005](#). In addition, an attorney should avoid all communications with a bench officer in which he or she offers an opinion on how the bench officer should rule on a pending case. Communications about purely procedural matters or the functioning of the court are allowed and encouraged.

(11) *(Communications with represented litigants)* An attorney working in a family law information center or family law facilitator office and his or her staff should not assist a litigant who is represented by an attorney unless the litigant's attorney consents or the court has referred the litigant for assistance.

(Adopted, eff. Jan. 1, 2002.)